IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 14603 of 2005

Between:

C. Jayakumar S/o. Sri Late C.M. Jayarao
A.P.Forest Development Corporation Limited Hyderabad
R/o. Hyderabad.

..... PETITIONER

AND

1 The Chairman A.P.Forest Development Corporation Limited Hyderabad.
2 The Vice-Chairman & Managing Director A.P.Forest Development

Corporation Limited, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent to place the Review Petition of the petitioner dated 24-02-2005 for consideration of his case for reinstatement into service before the Board of A.P.Forest Development Corporation Limited, Hyderabad at the next meeting which is scheduled to be held during the month of September 2005 or any other subsequent date, by declaring the action of the 1st respondent in not placing his Review Petition as mentioned above before the Board meeting which were held during March 2005 and 28-6-2005 as arbitrary and illegal.

Counsel for the Petitioner: MR.V.S.N.SARMA

Counsel for the Respondents: MR.P.SREE RAMULU NAIDU

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the first respondent in not placing the review petition before the Board for consideration.

2. According to the petitioner, an order of removal was passed against him, which was confirmed in appeal as per Regulation 72 of the A.P. Forest Development Corporation Limited Staff Regulations, 1975. A review lies before the Board, and accordingly, the petitioner sent the review petition addressing to the first respondent. The grievance of the petitioner is that though the board met twice after the presentation of the review petition by the petitioner, the same was not placed for consideration before the board. Hence, the present writ petition.

3. At the time of hearing, the learned counsel appearing for the respondent-Board, however, took a peculiar stand that the review petition was addressed to the Chairman, but not to the Board, and therefore, it could not be placed before the Board.

4. The said stand taken by the learned standing counsel for the Corporation is not proper and just. When once a review petition is addressed to the Chairman of the Corporation, the authorities concerned, if not the Chairman, would take appropriate steps to place the said review petition before the competent authorities for consideration.

5. Under the above circumstances, the first respondent is directed to place the review petition in the next board meeting, which is scheduled to be held in the month of September, and the Board is also directed to consider the said review petition and pass appropriate orders.

6. Accordingly, the writ petition is disposed of. No order as to costs.

S.ANANDA REDDY, J

07th July, 2005

Note:

Furnish C.C. within three days.

B/o.

SKM
To

1 The Chairman A.P.Forest Development Corporation Limited Hyderabad.
2 The Vice-Chairman & Managing Director A.P.Forest Development

Corporation Limited, Hyderabad.

3 Two CD copies

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